

REMARKS

This Amendment is responsive to the Office Action dated October 5, 2004. In that Action, the Examiner rejected claims 1-18 under 35 U.S.C. §101 as allegedly claiming the same invention claimed in claims 1-15 of U.S. Patent No. 6,645,469 ("the '469 Patent"). Applicant respectfully traverses the Examiner's rejection and offers the foregoing amendments and following remarks in support thereof.

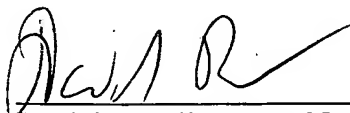
Applicant has amended claims 1, 2, 9, 10, 16 and 17. No new matter has been inserted. Claims 1-18 remain pending in the application. Applicant respectfully requests reconsideration of the Examiner's rejection.

The claims have been amended to remove the inhaler limitation found in the claims of the '469 Patent. As such, the current claims, as amended, are now not claiming the same invention as the claims in the '469 Patent. Accordingly, Applicant respectfully requests that the "double patenting" rejection be withdrawn.

Applicant has completely responded to the Office Action dated October 5, 2004. Favorable action is respectfully requested.

If there are any additional charges, including extension of time, please bill our Deposit Account No. 503180.

Respectfully submitted,



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